

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROXANNE RUSHING-BUTTS,

Plaintiff,

v.

Case. No. 13-10645
HON. TERRENCE G. BERG

OAK PARK POLICE OFFICER
BAUMGARDNER, and OAK PARK
POLICE OFFICER EDWARDS #1226,

Defendants.

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION

This matter is before the Court on Plaintiff Roxanne Rushing-Butts' February 26, 2014 motion for reconsideration of the Court's February 13, 2014 Order (Dkt. 34) granting Defendants' motion for summary judgment on the basis of qualified and governmental immunity.

For the reasons set forth below, it is ORDERED that Plaintiff's motion for reconsideration (Dkt. 36) is DENIED.

I. ANALYSIS

The Court may grant a motion for reconsideration if the movant satisfactorily shows that: (1) a palpable defect misled the parties and the Court; and (2) correcting the defect would result in a different disposition of the case. E.D. Mich. L.R. 7.1(h)(3). A defect is palpable if it is "obvious, clear, unmistakable, manifest, or plain." *Olson v. Home Depot*, 321 F. Supp. 2d 872, 874 (E.D. Mich. 2004). The

Court will not grant a motion for reconsideration “that merely present[s] the same issues ruled upon by the court, either expressly or by reasonable implication.” *Id.*

Plaintiff’s motion for reconsideration raises no new issues, authority, or argument—it merely references the arguments made in Plaintiff’s written briefs and advanced during the hearing on the motion for summary judgment. Plaintiff identifies no palpable defect in the Court’s order; consequently the motion for reconsideration is not well taken and must be denied.

Accordingly, it is **ORDERED** that Plaintiff’s motion for reconsideration (Dkt. 36) is **DENIED**.

Dated: March 10, 2014

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically submitted on March 10, 2014, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb
Case Manager